

REMARKS

Claims 1, 3-4, and 6-36 are pending in this application. Claims 2 and 5 are canceled by the applicant. Claims 1, 3-4 and 6-30 are rejected. Claims 1, 4, 13, 14, and 15 are the independent claims. Claims 31-36 are newly added.

I. Claim Objections:

Claims 16-18 and 23-25 are objected to under 37 CFR 1.75(c) as being in improper form for being multiple dependent claims depending from claims 14 and 15.

Claims 16-18 and 23-25 have been amended to address the Examiner's objections.

Therefore, Applicants respectfully request the objections to claims 16-18 and 23-25 be removed.

II. Claim Rejections – 35 USC §102:

Claims 1, 3-4, 6-15, 17-18, and 22-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Thrift (US 6,510,557).

As is well known, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

The Applicants respectfully submit Thrift fails to teach each of the elements in claim 1 as is required to support a rejection under §102. Claim 1 recites:

“embedding a watermark within said principal program, first transmitting said principal program with the embedded watermark to said one or more subscribers” and “*decoding, at a central location* not in physical proximity to a principal program presentation device for said one or more subscribers, said embedded watermark to determine the specific related data to be transmitted to said one or more subscribers” (Emphasis added).

With respect to this limitation the Examiner cites col. 3, lines 20-40 of Thrift which state:

The channel map information associates a given television channel signal with a uniform resource locator (URL) for that particular television channel. The channel map information could also associate a particular television channel with any other way of specifying a location on an information service provider. For example, if a viewer tunes to the Cable News Network (CNN), the channel map

information can associate that channel with the URL of CNN's web site: <http://www.cnn.com>. With this information, via Internet connection 14, JTVP 12 can retrieve that specific web page from the Internet. Audio/video overlay 24 then will combine the web page, any VBI information and the television channel signal and output this combination to television 40. Typically the combination will result in the regular television broadcast in a first box and the Internet display in a second box. The first and second boxes can be sized and moved around the screen. More sophisticated overlays are also possible. Additionally, information concerning the URL or other Internet information can be sent by the television channel signal in the vertical blanking interval. That information can be decoded by VBI decoder 28 and sent to JTVP 12 where JTVP 12 can then access that URL via Internet connection 14.

Referring to the portion of Thrift cited by the Examiner, the closest element to the embedded watermark recited in claim 1 is the information sent in the vertical blanking interval (VBI). Thrift teaches the information sent in the vertical blanking interval is decoded by the appropriately named VBI decoder 28 (*Thrift*: FIG. 1; col. 3, ln. 38-40). The television 40 taught by Thrift is the closest element to the principal program presentation device recited in claim 1. The VBI decoder 28 is included in the Java Television Receiver 10 which is located on top of, attached to, or inside the television 40 (*Thrift*: FIG. 1; col. 3 ln. 1-5). Thus the VBI decoder *is in physical proximity* with the television 40. Accordingly, Thrift cannot teach “decoding, at a central location **not in physical proximity** to a principal program presentation device” an embedded watermark a claim 1 requires.

Further, Applicants note the following statement made by the Examiner: “according to applicant’s specification, this central location is an offsite location, which is equivalent to a location on an information service provider, such as CNN in col. 3, lines 20-25 of Thrift” (*March 6, 2008: Office Action*: p. 3). The Examiner appears to read the central location recited in claim 1 on CNN as it is disclosed in Thrift. However, in this case, it is unclear to the Applicants what the Examiner considers to be the embedded watermark. Thrift does not teach decoding a signal with a VBI at CNN or even sending the signal with the VBI to CNN. Thrift does not appear to teach decoding anything at CNN. Thus, even if we assume, *for the sake of argument*, CNN is a central location, Thrift fails to teach **decoding an embedded watermark at CNN** as claim 1 requires.

Applicants respectfully submit, for at least the reasons stated above, Thrift fails to teach or suggest each of the elements in claim 1 as is required to support a rejection under §102.

Further, independent claims 4, 13, 14 and 15 contain limitations similar to those in claim 1. Consequently, at least in view of their similarity to claim 1, Thrift fails to teach or suggest each of the elements in any of claims 4, 13, 14, and 15 as is required to support a rejection under §102.

Additionally, claims 3 and 27 depend from claim 1; claims 6-13 and 28 depend from claim 4; claims 17 and 23-26 depend from claim 14; claim 30 depends from claim 15; and claim 22 depends from claim 18. Consequently, at least in view of their dependence from claims 1, 4, 14, 15, and 18, Thrift fails to teach or suggest each of the elements in any of claims 3, 6-13, 17, 22-28, and 30 as is required to support a rejection under §102.

Therefore, Applicants respectfully request the rejections of claims 1, 3-4, 6-15, 17-18, 22-30 under 35 U.S.C. §102 be removed.

III. Claim Rejections – 35 USC §103:

Claim 16 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrift (US 6,510,557), and further in view of Mitchell et al (US 6,108,406).

The deficiencies of Thrift are discussed above and are relevant here as well because claim 16 depends from claim 14 and claims 19-21 depend from claim 18. Mitchell fails to remedy these deficiencies at least because Mitchell does not relate to decoding embedded watermarks. Accordingly, at least in view of their dependence from claims 14 and 18, Thrift in view of Mitchell fails to teach each of the limitations in any of claims 16 and 19-21 as is required to support a rejection under §103.

Therefore, Applicants respectfully request the rejections of claims 16 and 19-21 under 35 U.S.C. §103 be removed.

IV. New Claims:

Claims 31-36 are newly added and contain no new matter. Claims 31-36 each depend from claim 15. For the reasons stated above, Applicants believe claim 15 to be allowable over the present art. Accordingly, Applicants believe claims 31-36 to be allowable over the present art.

CONCLUSION

In view of the above, Applicant earnestly solicits reconsideration and allowance of all of the pending claims.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

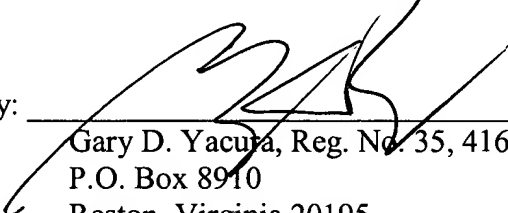
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a two (2) month extension of time for filing a reply to the outstanding Office Action and submit the required \$460.00 extension fee herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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